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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,) No. CR-15-87 MEJ
11 Plaintiff,) STIPULATION AND [PROPOSED]
12 v.) ORDER MODIFYING SPECIAL
13 LEA BOUCHARD,) CONDITION OF PROBATION
14 Defendant.) Court: Honorable Maria-Elena James
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18 The undersigned parties stipulate as follows:

- 19 1. On August 14, 2015, this Court issued a judgment in the aforementioned case and
20 placed the aforementioned defendant on probation for three years;
- 21 2. As a part of the judgment, and as a special condition of probation, the judgment
22 indicates that "The defendant shall participate in a program of testing and treatment for
23 drug or alcohol abuse, as directed by the probation officer, until such time as the
24 defendant is released from treatment by the probation officer. The defendant is to pay
25 part or all of the cost of this treatment, at an amount not to exceed the cost of treatment,
26 as deemed appropriate by the probation officer." *See Judgment, Special Condition No.*

4. As a separate part of the Judgment, the mandatory drug testing condition was suspended by this Court;

At sentencing, the parties agreed to an oral clarification of that condition to make it clear that the defendant was to complete an assessment for potential drug and alcohol abuse, to determine if actual testing and treatment was warranted;

The Probation Office has requested a written order modifying the condition, so it is clear to that office that an assessment has been ordered, but that further testing and treatment for drug or alcohol abuse is not ordered until the results of that assessment are made known to the Office of Probation and the results of that assessment indicate that further testing and treatment is necessary;

Accordingly, the parties stipulate and agree that Special Condition No. 4 of Ms. Bouchard's probation be hereby modified as follows:

- a.) Special Condition No. 4, as written now, should be deleted;
- b) In its place, Special Condition No. 4 should read as follows: "The defendant shall complete an assessment for drug and/or alcohol abuse under the direction of the Probation Office to determine if further treatment and/or testing for alcohol abuse is warranted."

Counsel for the government has no objection to the proposed modification

IT IS SO STIPULATED.

9/29/2015

/S/
ELIZABETH M. FALK
Assistant Federal Public Defender

**STIPULATION TO MODIFY PROBATION
CONDITION, CR-15-0087 MEJ**

1 9/29/2015

/S/

2 WILLIAM EDELMAN
3 Assistant United States Attorney
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5 **[PROPOSED] ORDER**

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7 GOOD CAUSE SHOWN, this Court GRANTS the parties' stipulation to modify the
8 defendant's special conditions of probation. Special Condition No. 4 of the Judgment, issued August
9 14, 2015, is hereby deleted. In its place, Special Condition No. 4 of Probation shall read as follows:

10 "The defendant shall complete an assessment for drug and/or alcohol abuse under the direction
11 of the Probation Office to determine if further treatment and/or testing for alcohol abuse is
12 warranted."

13 DATED: October 27, 2015



14 THE HONORABLE MARIA ELENA JAMES
15 UNITED STATES MAGISTRATE JUDGE
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